

EXHIBIT A

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S PARTIAL DETERMINATION OF CLAIM

October 26, 2009

Ellen Bernfeld (IRA)
21 South Park Drive
Tenafly, New Jersey 07670

Dear Ms. Bernfeld (IRA):

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim on BLMIS Account No. 1B0221 designated as Claim Number 2194:

Your claim for a credit balance of \$316,469.97 and for securities is **DENIED**. No securities were ever purchased for your account.

You are receiving a **PARTIAL DETERMINATION** as set forth below.

As of the date of this letter, the Trustee's staff has not been able to verify all the BLMIS records of certain of your account-related transactions. Specifically, the Trustee's staff not been able to verify the purported transfer (the "Transfer") into your account on February 3, 2000. To facilitate the prompt payment of your SIPC protection, the Trustee has determined that it is appropriate to pay the

¹ Section 7811(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78ccc(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 7811(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

portion of your claim (up to the limit of available Securities Investor Protection Corporation ("SIPC") protection) that can be verified at this time. The Trustee will make an initial payment to you of \$45,479.85, which is the balance of money in/money out in your BLMIS Account on the Filing Date based on the currently available records of such account. These records indicate that the amount of money you deposited (not including the Transfer) with BLMIS for the purchase of securities, less withdrawals, are as outlined in Table 1 attached hereto. Once the Trustee's staff verifies the Transfer, the Trustee will issue a supplemental Notice of Trustee's Determination of Claim to you which will contain the full amount of your allowed claim.

The Trustee reserves all rights regarding his partial determination of your claim (including the payment to you of SIPC protection in the amount of \$45,479.85) until all BLMIS records of your account-related transactions can be verified.

The enclosed **PARTIAL ASSIGNMENT AND RELEASE** relating to the Trustee's payment to you must be executed, notarized and returned in the envelope provided herewith. Upon receipt of the executed and notarized **PARTIAL ASSIGNMENT AND RELEASE**, the Trustee will make a partial satisfaction of your allowed claim by sending you a check in the amount of \$45,479.85, with the funds being advanced by SIPC pursuant to section 78fff-3(a)(1) of SIPA.

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Notice of Trustee's Partial Determination of Claim shall be construed as a waiver of any rights or claims held by you in having your customer claim re-determined in accordance with any such Court order.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court and the Trustee within **THIRTY DAYS** after October 26, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you and the Trustee are not able to agree to the Trustee's reservation of rights regarding the Transfer, the Trustee will obtain a hearing date for this controversy at a time and date determined by the Trustee, in his sole discretion. You will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result

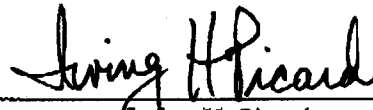
in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111



Irving H. Picard

Trustee for the Liquidation of the Business of
Bernard L. Madoff Investment Securities LLC

cc: NTC & Co., FBO Ellen Bernfeld
PO Box 173859
Denver, Colorado 80217

Account Information

Account Number **1B0221**

Name **NTC & CO., FBO ELLEN BERNFELD (112796)**

- Table 1 -			
Deposits			
DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
2/3/2000	TRANS FROM 50 ACCT	\$943,025.59	N/A
9/10/2003	DIRECT ROLLOVER	\$45,479.85	\$45,479.85
Total deposits:		\$988,505.44	\$45,479.85

Withdrawals			
DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
Total withdrawals:		\$0.00	\$0.00
Total deposits less withdrawals:		\$988,505.44	\$45,479.85

(1) The amount listed as the Adjusted Amount for this transaction has not yet been determined by the Trustee. In no event will the amount be lower than the amount listed in Table 1.